

OFFICE OF THE GOVERNOR
BUDGET AND PROGRAM PLANNING
STATE OF MONTANA

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'09B – Memo 2
2 attachments

TO: Agency Directors, Legal Staff and Centralized Services Administrators

FROM: David Ewer, Budget Director
Ann Brodsky, Governor's Legal Counsel

Date: January 16, 2006

Subject: **Legislation Proposals for the 2007 Legislative Session**

A. Proposed Legislation -- Deadline April 14, 2006

Please send your proposed legislation to the Office of Budget and Program Planning (OBPP) by April 14, 2006. With each proposal, describe the legislation and explain the reasons for it. These steps are part of the Executive Planning Process (EPP) for the Sixtieth Legislature.

We have forms to help you prepare submissions.

- use "GOV_ADM_001" (it's easy; see attachment 2 "Connecting to OBPP Server")
- call up "Forms&Memos\Forms"
- copy the "Proposed 2007 Session Legislation" form, named "Memo2-Attach 1 Legform.xls." (**NOTE – it is in Excel**)

Complete a form for each piece of proposed legislation, recognizing that your forms will be public documents used by both the executive and legislative branch.

You should submit *all legislative proposals* by April 14, whether or not they have any fiscal impact. We don't need complete drafts of the legislation at this point. If you do have a draft on any proposal, you may submit it along with the request form. Please note these important points:

1. Prioritize all proposed legislation 1 through XXX for the entire agency, with 001 as the highest priority. These numbers will help us track your proposals throughout planning and bill drafting. We will return any proposals that lack priority numbering.
2. Save your completed legislation forms as Excel documents in the "LEG" folder on the OBPP server. Use this format to name them: \XXXX\YY-ZZZ.xls
 - XXXX is your four-digit agency code
 - YY is the two-digit program code
 - ZZZ is the **agency-wide priority number** the agency assigned to the proposed legislation.

E-mail or call Jeanne Nevins at 7385 or 3616 when you have saved your proposals in the file. Call Sarah Slapnicher at 4915 for technical help with retrieving or transmitting documents.

3. Don't send biennial appropriation bills for EPP. Examples include HB 5 for long-range building or HB 9 for cultural and aesthetic grants. Please send final drafts of these bills directly to Mark Bruno as HB XX whenever they are ready.

After OBPP and the Governor's staff review your legislative proposals, we will notify agencies electronically when they are approved to draft specific bills. A copy of this approval notice also will be sent to the Legislative Services Division (LSD).

Based on the rules, procedures, and guidelines for Legislative Interim Committees and Activities for the 2005-06 Interim, it is our understanding that committees will be requesting copies of all your completed legislation forms that are approved by the OBPP for drafting. This is the minimum that your interim committee will review sometime in late May – September.

Non-approved bills may fit another category, such as:

- the need for more information
- the need to coordinate with other agencies
- interest of the Governor in requesting the bill
- or other actions

Call Jeanne Nevins at x3616 to schedule agency conferences, if needed, on non-approved bills. The meetings will enable follow-up and final decisions on your proposals.

B. Final Drafts of Legislation -- Deadline September 15, 2006

Whenever your agency completes a final draft of approved legislation,

- **save** the final draft in the "Leg" folder on the OBPP server with the file name "XXXX\YY-ZZZF.doc"
 - XXXX is your four-digit agency code
 - YY is the two-digit program code
 - ZZZ is the *same priority number* assigned April 16
 - F indicates final draft.
- **send** an e-mail to Jeanne Nevins at OBPP.

[Changing the ZZZ number from the number we have approved will cause confusion and *lengthy* delays in reviewing your legislation. If we combine two requested bills during the summer, the ZZZ number will be the **lower** of the original numbers that the agency assigns in April.]

NEW: At the same time the agency submits the final draft of the bill, agencies will be required to submit a draft fiscal note for the bill to OBPP.

We urge all agency staff involved in drafting legislation to attend the LSD "Bill Drafting Workshop." It likely will be presented several times in June. Call the LSD at 3064 for further information.

OBPP and Governor's policy staff will review your final bill drafts and seek more information as needed.

- Between September 15 and the 2007 session, OBPP will work with you to secure legislators who will request and sponsor appropriations bills, significant pieces of agency legislation, and other bills as necessary.
- Most housekeeping, federal compliance and other bills from your agency may be requested by the legislative committee that has monitoring responsibility for your agency under 5-5-215(1)(c), MCA, and that will have reviewed your legislative concepts. The appropriate interim committee will be the official requestor of these bills. The LSD will be responsible

for this procedure and it will be copying your final bill drafts directly from the “LEG” folder on the OBPP server for drafting. Since these LSD bill drafting rules may affect executive branch legislation, the Governor’s Office expects you will, at a minimum, keep us informed whenever changes occur that may affect programs or budgets. The LSD draft bills won’t need a legislative requestor, but you will be required to secure a bill sponsor and have the sponsor pre-introduce the bill prior to December 26, 2006.